

Exhibit A

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

RICHARD DASCHBACH, individually
and on behalf of all others similarly
situated,

Plaintiff,

v.

ROCKET MORTGAGE, LLC, a Michigan
limited liability company,

Defendant.

Case No. 1:22-cv-00346-JL

**DECLARATION OF TAYLOR T. SMITH IN
SUPPORT OF PLAINTIFF’S OPPOSITION
TO DEFENDANT’S MOTION TO COMPEL
ARBITRATION**

I, Taylor T. Smith, declare as follows:

1. I am an attorney with the law firm Woodrow & Peluso, LLC and counsel of record for Plaintiff Richard Daschbach (“Plaintiff” or “Daschbach”).
2. On September 2, 2022, Plaintiff filed the instant action alleging wide-scale violations of the Telephone Consumer Protection Act, 47 U.S.C. § 227 (“TCPA” or “Act”) and New Hampshire state telemarketing laws (dkt. 1), which was later amended on November 4, 2022 (dkt. 10).
3. After the lawsuit was filed, counsel for Defendant Rocket Mortgage, LLC (“Defendant” or “Rocket Mortgage”) sent Plaintiff’s counsel a letter dated October 17, 2022. In the letter, Rocket Mortgage claimed that Daschbach visited a different website, LowerMyBills.com and completed a different form that resulted in the calls.
4. During conferrals, Rocket Mortgage’s counsel clarified that it no longer claimed that Daschbach visited LowerMyBills.com. Instead, on October 24, 2022, Rocket Mortgage disclosed that it now asserted that Daschbach visited refinance.enhancedrefinow.com, a website operated by LMB Mortgage Services, Inc. d/b/a LowerMyBills.com (“LMB”).
5. Attached as Exhibit 1 to this Declaration are true and accurate copies of the disclosures analyzed in *Berman v. Freedom Fin. Network, LLC*, 30 F.4th 849 (9th Cir. 2022).

6. Attached as Exhibit 2 to this Declaration are true and accurate copies of the disclosures analyzed in *Cullinane v. Uber Techs., Inc.*, 893 F.3d 53, 57-58 (1st Cir. 2018).

7. Attached as Exhibit 3 to this Declaration are true and accurate copies of the disclosures analyzed in *Shirley v. Rocket Mortg.*, No. 2:21-CV-13007, 2022 WL 2541123, ECF No. 9-5 pgs. 12-13, 16-17 (E.D. Mich. July 7, 2022).

8. Attached as Exhibit 4 to this Declaration is a true and accurate copy of the disclosure analyzed in *Rodriguez v. Experian Servs. Corp.*, No. 2:15-cv-03553-R-MRW ECF No. 24-2 (C.D. Cal. Oct. 5, 2015).

9. Attached as Exhibit 5 to this Declaration is a true and accurate copy of the disclosure analyzed in *Hill v. ActiveProspect, Inc.*, No. 5:20-cv-01351-JGB-KK, ECF No. 43-7 pg. 16 (C.D. Cal. July 16, 2021).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on December 20, 2022, in Denver, Colorado.

/s/ Taylor T. Smith

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